

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**Civil Action No. 1:09-cv-00643-MV-ACT**

**TERRY LATHAM,**

**Plaintiff,**

**vs.**

**BOARD OF EDUCATION OF THE  
ALBUQUERQUE PUBLIC SCHOOLS,**

**Defendant.**

**NOTICE OF APPEAL**

Notice is hereby given that Terry Latham, plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Tenth Circuit from the Memorandum Opinion and Order filed September 21, 2010 and Stipulation of Dismissal filed October 20, 2011.

Respectfully submitted,

/s/ Daniel M. Faber  
Daniel M. Faber  
Counsel for Plaintiff  
dan@danielfaber.com  
4620C Jefferson Lane NE  
Albuquerque, NM 87109  
(505) 830-0405

I HEREBY CERTIFY that on the second day of November, 2011, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Julia Broggi, Attorney for Defendants  
jxb@modrall.com

/s/ Daniel M. Faber